

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHAWN RAY MURNAN,

Defendant.

Case No. 25-CR-00014-SEH


OPINION AND ORDER

Before the Court is Defendant Shawn Murnan's motion to reconsider sentence. [ECF No. 37]. Generally, a district court "has no authority to modify a sentence once it is imposed." *United States v. Gladney*, 44 F.4th 1253, 1259 (10th Cir. 2022) (internal brackets and quotation omitted). Rule 35(a) provides a limited exception, stating that "[w]ithin 14 days after sentencing, the court may correct a sentence that resulted from arithmetical, technical, or other clear error." Murnan brings his motion within 14 days of sentencing but does not argue that his sentence resulted from an arithmetical, technical, or other clear error. And the Court, having reviewed the record, finds no such error. Rule 35 "does not provide a basis for a court to simply reconsider its sentencing decision." *United States v. Mendoza*, 543 F.3d 1186, 1196 (10th Cir. 2008); *see also United States v. Lonjose*, 663 F.3d

1292, 1299 n.7 (10th Cir. 2011) (Rule 35(a) “was intended to be very narrow and to extend only to those cases in which an obvious error or mistake had occurred” (quotation omitted)); *United States v. Harris*, 358 F. Supp. 3d 1202, 1205 (D. Colo. Feb. 1, 2019) (“‘clear error,’ whatever else it means, does not appear to include the results of re-weighting the § 3553(a) factors”).

IT IS THEREFORE ORDERED that Defendant’s motion to reconsider sentence [ECF No. 37] is DENIED.

DATED this 26th day of June, 2025.

A handwritten signature in black ink, reading "Sara Hill", is positioned above a horizontal line.

Sara E. Hill
UNITED STATES DISTRICT JUDGE